COMMISSION ON SECURITY AND COOPERATION IN EUROPE

# DIGEST

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**President Yeltsin's trip to Washington was first suggested during the Helsinki Commission's trip to Moscow last February.**

## Triumphant Yeltsin visits Congress as RSFSR President

Boris Yeltsin, the newly elected president of the Russian Republic, emphasized the need for developing economic and political ties between the United States and his country during a recent visit to Washington, DC.

Calling the United States the "birthplace of democracy," Yeltsin, the first democratically elected leader in Russian history, arrived in Washington June 18 at the invitation of Senate leadership for a 2-day program which included meetings with Congressional leaders and President Bush.

The groundwork for this first official visit of the Russian president-elect was laid in February of this year when a Helsinki Commission delegation led by Chairman Steny Hoyer (D-MD) met with Yeltsin in Moscow and suggested the possibility of his visiting the United States as a guest of the Congressional leadership.

At a Soviet Embassy reception the evening of his arrival, Yeltsin made clear that he had not come to seek aid or a "hand out," but rather to promote Russia as an attractive investment opportunity and a reliable future partner of the United States.

The Russian President met with 72 senators at a closed-door session on June 19, immediately following a private meeting with the Senate leaders who sponsored his visit here, Majority Leader George Mitchell (D-ME) and Minority Leader Bob Dole (R-KA). He then met privately with House leadership before conferring with House members at a meeting hosted by Foreign Affairs Committee Chairman Dante Fascell (D-FL), former chairman of the Helsinki Commission. Following a luncheon in the Capitol given in his honor by the joint bipartisan Congressional leadership, Yeltsin toured the Lincoln Memorial and met with AFL/CIO officials.

President Yeltsin met on June 20 with President Bush in the Oval office and also with Vice-President Quayle, as well as with Secretary of Defense Dick Cheney and Commerce Secretary Robert Mosbacher.

While President Bush made clear that the United States would continue to maintain a close relationship with the Soviet government under Mikhail Gorbachev, Yeltsin's appeal for the United States to engage in more direct ties with the republics rather than exclusively the central government met with a more sympathetic response on Capitol Hill.

### The new president's views

President Yeltsin declared himself a supporter of "freedom for the Baltic peoples," proclaiming that "one cannot build a union with chains." He also confirmed that he was in favor of "a market economy, a plurality of forms of ownership, equality of all forms of property under the law, pri-

The Commission on Security and Cooperation in Europe by law monitors and encourages progress in implementing the provisions of the Helsinki human rights accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives and one official each from the Departments of State, Commerce and Defense.

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vatization, giving land to the farmers, carrying out land reform, a credit reform and bringing in foreign investment." To the question of whether or not the United State should grant aid to the USSR only under strict conditions, Yeltsin responded categorically: "Set ideological conditions."

On the role of the internal security forces and military in a democratic republic, he noted that the Union Treaty provided for the KGB in Russia to be placed under the control of the Russian parliament, and that "it will work only to defend human rights." He said a protocol is to be signed providing that any military actions on Russian territory must be ratified by the Russian Supreme Soviet.

Responding to a question regarding Soviet aid to Cuba, Yeltsin said that since Russia had passed a law prohibiting foreign aid, it was unlikely that the Soviet Government could continue its foreign aid agenda. He said that he advocated the elimination of all foreign aid to Cuba.

Regarding the six republics that had not signed the "9 plus 1" accord, Yeltsin said that there would be either a new economic agreement for all 15 republics separate from the Union Treaty, or, if this failed, the conclusion of a series of bilateral arrangements such as Russia has already concluded with Estonia, Latvia, and Moldova.

Yeltsin said that the new Union Treaty should be ready for signature in July, followed 6 months later by the adoption of a new Soviet constitution and then elections for a new Supreme Soviet and Soviet president. He added that he has already told Gorbachev that in his new capacity as president of Russia he intended to be responsible to the Russian people, and that therefore, "I will not run for president against Gorbachev."

On the subject of his volatile and highly publicized relationship with Gorbachev, Yeltsin said "it's a balanced, businesslike relationship." But, he stressed, if Gorbachev goes back on reforms or resorts at any time to military pressure, "I am his opponent."

*—Patricia Carley*

# Albania admitted to CSCE; door remains closed to Baltics

The first CSCE Council of Ministers Meeting, held in Berlin June 19-20, and preceded by a 2-day preparatory meeting of Senior Officials, was a qualified success. The meeting produced a final document with a series of decisions over a wide range of CSCE issues.

For the first time, Albania was admitted to the CSCE as a full member. In a letter to the Council, the Albanian government indicated its acceptance of all the commitments of all CSCE documents and its intention to be bound by them.

In addition, the letter welcomed a "rapporteur mission" to be arranged by the German presidency of the CSCE Council of Ministers.

Although numerous press reports greeted Albania's admission by proclaiming that the CSCE now represents all of Europe, three other European countries remained locked outside.

### Baltics denied once again

Once again, attempts by Latvia, Estonia, and Lithuania to gain simple observer status were blocked by the Soviet Union, notwithstanding widespread support for Baltic observer status among the other participating States

Unfortunately, not one CSCE delegation was willing to risk offending the Soviet Union by formally raising the question in the meeting itself.

### Emergency mechanism agreed

Among the most important decisions reached by the Council was the agreement on provisions for convening an emergency meeting in the event of "a serious emergency situation which may arise from a violation of one of the principles of the [Helsinki] Final Act or as the result of major disruptions endangering peace, security or stability."

The provisions require consultations prior to the convening of an emergency meeting, and further require that a minimum of twelve countries "second" any one country's call for such a meeting.

Somewhat ominously, the provisions also contain a specific reference to non-interference in internal affairs, which the Soviets used for many years to evade their human rights commitments.

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*"a serious emergency situation which may arise from a violation of one of the principles of the [Helsinki] Final Act or as the result of major disruptions endangering peace, security or stability."*

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Agreement was also reached on a general framework for preparatory talks in the fall to discuss security negotiations which are tentatively scheduled to begin after the Helsinki Follow-up Meeting, which opens in March 1992.

In addition, the Ministers issued a statement outside of the formal meeting expressing "friendly concern and their support for democratic development, unity and territorial integrity of Yugoslavia."

*—Commission staff*

*Editors note: The new emergency mechanism formulated in Berlin was scheduled to undergo its first test—dealing with the outbreak of violence in Yugoslavia—on July 3, after the Digest had already gone to press.*

*Chairman Hoyer and Co-Chairman DeConcini denounced the conflict and ethnic clashes in Slovenia and Croatia in a June 27 statement, and stated their strong opposition to the further use of force in Yugoslavia.*

*They also applauded the nine members of the Western European Union (WEU) who originated the request to invoke the CSCE mechanism in response to the crisis in Yugoslavia.*

## FOR THE RECORD

SALI BERISHA, Chairman of the Albanian Democratic Party, Tirana, June, 1991. "We killed communism, but we are faced with its debris, which is still toxic."

RSFSR PRESIDENT-ELECT BORIS YELTSIN, on the campaign trail in Tula, USSR, June, 1991. "I am prepared to fight with God himself to obtain sovereignty for Russia...we have to press ahead with reforms now if we are to avoid an explosion."

PRESIDENT MIKHAIL GORBACHEV, Oslo, Norway, June 1991. "Jumping to conclusions after every step taken by the Soviet leadership, after every decree by the President, trying to figure out whether he is moving left or right, backward or forward, would be an exercise in futility, and would not lead to understanding."

PRESIDENT YELTSIN, during his recent visit to Washington, DC, June 1991. "If he (Gorbachev) is a reformer, then I am with him. If he holds up reform, if he stops and goes backwards, if he makes halfhearted decisions, if he pressurizes the republics, including military pressure, I'm his opponent."

ANTE CAVIC, a Croatian priest in Kijevo, June 1991. "This is a crazy time. We should be talking about the economy, about building democracy, about the arts. Instead, all we are thinking about is how to survive."

PRIME MINISTER JAN KRZYSZTOF BICLECKI of Poland, addressing CSCE delegates in Cracow for the Symposium on Cultural Heritage, May 1991. "Poland's communist past is but a 40-year abberation in a history that stretches over a thousand years. Poland's cultural heritage belongs to one thousand years, not to a short-lived experiment imposed on the Polish people, imposed by the artificial line drawn across Europe at the end of the last war.

"Freedom of the individual, political freedom, freedom of thought, freedom of expression, tolerance for the ideas of others, these are Poland's true cultural heritage, the very things communism tried to destroy.

## RECENT CSCE PUBLICATIONS

THE ELECTIONS IN ALBANIA—On-site Helsinki Commission staff report on Albania's first multi-party elections since the 1920's, with an introduction. 32 pages.

SOVIET AND BALTIC ELECTION REPORT—Single volume compilation of on-site Commission staff reports on parliamentary elections in the Baltic states of Lithuania, Latvia, and Estonia, and the Soviet republics of Russia, Moldavia, Ukraine, Azerbaijan, Georgia, with an introduction. 188 pages.

REPORT ON THE ESTONIAN REFERENDUM AND LATVIAN PUBLIC OPINION POLL ON INDEPENDENCE—On-site Commission staff report on the March 3, 1991, votes on independence in Estonia and Latvia, with an introduction. 5 pages.

CENTRAL AND EAST EUROPEAN ELECTION REPORTS—Single volume compilation of on-site Commission staff reports on the 1990 elections held in the GDR, Hungary, the Yugoslav republics of Slovenia and Croatia, Romania, the Czech and Slovak Republic, and Bulgaria, with an introduction. 157 pages.

COMMISSION TRIP TO HUNGARY, YUGOSLAVIA AND ALBANIA—Report on the Helsinki Commission's March fact-finding trip to Hungary, Yugoslavia, Albania. 37 pages.

COMMISSION TRIP TO THE BALTIC STATES AND MOSCOW—Report on the Helsinki Commission's February fact-finding trip to Latvia, Lithuania, Estonia, and Moscow. 35 pages.

STAFF REPORT ON HOMELESSNESS—August 29, 1990. Examines the causes, responses, and symptoms associated with the growing homelessness problem in the United States, and examines the problem in relation to international human rights commitments. The report is part of the Commission's continuing review of U.S. efforts to meet Helsinki process commitments. 77 pages.

REPORT OF THE CENTRAL AND EASTERN EUROPEAN INTERPARLIAMENTARY SEMINAR—The Parliaments Responsibility for Economic Development—compilation of papers from this Commission co-sponsored event in Budapest, Hungary, March 22–24, 1991. 164 pages.


# DIGEST

COMMISSION ON SECURITY
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IN EUROPE
WASHINGTON, DC 20515

Official Business


M.C.

**Head of U.S. Delegation Nancy Reynolds addresses the conference in Cracow.**

# Cracow provides ideal setting for CSCE meeting on culture

From May 28 through June 7, over 400 delegates met in Cracow, Poland, for the Symposium on the Cultural Heritage of the CSCE participating States. Over 9 working days, delegates met at the historic and recently renovated Slowacki Theator for plenary sessions and at the Forum Hotel for sessions of two working groups.

The renaissance city of Cracow proved to be an ideal setting for the Symposium. As host, the Polish Government balanced the daily work of the meeting with a varied and rich array of cultural events. These activities served to reinforce the objectives of the meeting—the preservation of the diverse cultural legacies of the participating States.

### Culture devastated by communism

Polish Prime Minister Jan Krzysztof Bielecki opened the Symposium with a speech that was remarkable for its frank assessment of the disastrous impact of communism on Poland's culture. The Romanian and Czechoslovak representatives made similarly hard hitting statements. Regrettably, the Baltic States received little more than token support for their efforts to join the CSCE. Representatives from Lithuania and Estonia continued to be relegated to "guest status," which is essentially the same status as that available to any member of the public and only permits access to non-secured areas of the conference facilities. (Latvia chose not to attend.)

Although there is considerable support among the participating States for extending observer status to the three Baltic States and the Commission has recommended to President Bush that the United States formally table a proposal to that end, the Soviet Union continues to indicate it would not give consensus to any proposal for Baltic observer status. Consequently, delegations in Cracow declined to take any action on the Baltic situation which might be interpreted by the Soviets as "confrontational."

The U.S. Delegation was headed by Ms. Nancy Clark Reynolds, Vice Chairwoman of Wexler Group/Hill & Knowlton Public Affairs and Member of the Board of Directors for the National Museum of American Indians and the National Park Foundation. The U.S. Delegation drew its members from several Government agencies, including the National Park Service, the United States Information Agency, the President's Advisory Council on Historic Preservation, and the Helsinki Commission. In addition, the delegation was joined by public members from the World Monuments Fund and the Council on Foreign Relations.

The opening and closing plenary sessions were structured around 6 days of closed working group meetings. Working Group A focused on intangible cultural heritage such as ways of life and language. Working Group B focused on tangible aspects of heritage such as sites, structures and objects.

### Document linked to success

In addition, a parallel drafting session met in tandem to the working groups. Although the United States argued that such drafting sessions detracted from the exchange of views envisioned by the mandate and provided for in the working groups, many other delegations felt that a document has become equated with success in the Helsinki process and that, consequently, the failure to produce one would suggest insurmountable conflicts where none exist. As a result, delegations engaged in marathon negotiations during the second week of the Symposium, producing the longest amount of text in the shortest amount of time in CSCE history.

Although the meeting was generally considered a success, many of the cultural experts attending the meeting observed that the format of traditional CSCE working sessions was not conducive to a dynamic exchange of views. In this vein, it was suggested that future meetings of this nature should be structured to allow for more informal discussions among experts.

*—Erika Schlager*

# NGOs urged to make plans for Moscow

The 35 states participating in the Conference on Security and Cooperation in Europe are scheduled to meet in Moscow from September 10 to October 4, 1991 for the third meeting of the Conference on the Human Dimension (CHD) of the CSCE.

As in the case of the two previous CHD meetings, held in Paris in 1989 and Copenhagen in 1990, the Moscow meeting will address the full range of human rights and humanitarian concerns encompassed in the Helsinki process including democratic-institution building and self-determination of peoples.

The suggestion to hold a conference on humanitarian cooperation in Moscow was first made by Soviet Foreign Minister Shevardnadze at the opening of the Vienna Follow-Up Meeting in November 1986. The United States eventually agreed to the Moscow conference as long as the Soviets guaranteed significant human rights improvements and open access at the meeting for non-governmental organizations (NGOs), members of the media and private citizens.

**NGO access a key concern**

Commission Chairman Hoyer and Co-Chairman DeConcini recently wrote to the Executive Secretary of the Moscow meeting, Soviet Deputy Foreign Minister Vladimir Petrovskiy, outlining their concerns and offering suggestions with respect to NGO involvement in Moscow.

Among the many issues raised in the letter were: proximity between the official meeting and the NGO center; NGO access to the conference center; and NGO access to delegates at the conference center.

Hoyer and DeConcini also expressed the expectation that logistical arrangements for travel plans and lodging for NGOs will be flexible and accommodating, that NGOs will be permitted to make their own travel arrangements, and that obstacles will not be placed in the way of persons wishing to enter the Soviet Union to attend the conference.

The Commission is also urging Soviet authorities to provide information on accreditation procedures for the conference and procedures for entry into the Soviet Union.

In addition, the Secretariat for NGO Parallel Activities of the Moscow Meeting (not to be confused with the official Secretariat) has recently issued an "Information Bulletin" on the parallel activities of the meeting. These activities are being planned under the auspices of Soviet organizations such as the Union of Friendship Societies. According to the Information Bulletin, individuals may obtain more information about the parallel activities at the following address: USSR, 103855, Moscow, Prospekt Kalinina 14, Head of the Secretariat for Parallel Activities of the Moscow Meeting of the Conference on the Human Dimension of CSCE Mr. Mikhail Vladimir, telefax 200-1209, telephone 290-1510 (Moscow).

NGOs wishing to participate in these activities or who wish to obtain information on Soviet entry visas, should contact the above address by August 10. Copies of the Information Bulletin may be obtained by calling Brenda Collier at the Commission at 202-225-1901.

*—Orest Deychakiwsky*

# Commission cables Gorbachev to protest action in Vilnius

Chairman Hoyer and Co-Chairman DeConcini sent a cable to Soviet President Mikhail Gorbachev condemning the June 26 occupation of Lithuania's central telephone and telegraph exchange by Soviet military units.

According to sources in the Lithuanian Supreme Council, other communications facilities outside of Vilnius and in Kaunas were also occupied, and Lithuania was reportedly cut off from the outside world. It appeared that Soviet authorities, after taking over Lithuania's central television and radio station in Vilnius in January and precipitating the death of 14 civilians, were trying to isolate Lithuania entirely—perhaps to prepare a larger military action to quash the republic's independence drive.

Hoyer and DeConcini described the latest Soviet assault on Lithuania as "an outrage."

"After a long period of low-intensity conflict waged by Soviet forces against customs posts in all the Baltic States, the seizure of Lithuania's communications facilities is extremely worrying," said Hoyer. "The cable we have sent to President Gorbachev expresses our concern over the failure of Soviet authorities to enter into serious negotiations with Lithuania, as well as with Latvia and Estonia, and our alarm at the apparent escalation of hostilities and pressure against the independence-seeking Baltic Republics."

"The timing of this action is remarkable," said DeConcini. "At a time when President Gorbachev has wangled an invitation to the July 15-17 meeting of the G-7 in London, where he will be hoping for large amounts of Western economic aid, the Soviet action in Lithuania raises grave doubts about his commitment to reform and his ability to control forces under his command."

Hoyer and DeConcini said that the withdrawal of Soviet troops from the telephone exchange indicated that the exercise might have been a deliberate provocation, designed to intimidate Lithuania's democratically elected leadership. They urged President Gorbachev to put an end to such intimidating tactics and to begin good faith talks with the Baltic States.

*—Michael Ochs*

# CSCE

*in brief*

## Turkish human rights legislation

On April 12, 1991, "Anti-Terrorist Act" Number 3713 was enacted after an all-night session of the Turkish parliament. The legislation, and measures which accompanied it, addressed a wide range of human rights and internal security issues. The actions of the Turkish government take on added significance at a time when international attention is focused on Turkey, the Kurds and security conditions along the Turkish Iraqi border.

Provisions of the anti-terror law provide for the commutation of capital punishment sentences rendered before April 1991, reduction of life sentences, and a conditional amnesty making up to 43,000 prisoners eligible for release, including many considered political prisoners. The Act further enables individuals who lost Turkish citizenship to regain it by returning to Turkey within 2 years.

After years of debate, Articles 141, 142, and 163 of the Penal Code, which criminalized communist, religious and separatist propaganda, were abolished and a number of trials for offenses covered by these articles have ended. Another measure also abrogated law number 2932, which restricted use of the Kurdish language.

While this legislative action by the Turkish government addresses problems frequently cited in Turkey and abroad with regards to human rights and issues concerning the Kurdish minority, numerous reservations have been expressed by Turkish and foreign human rights organizations, journalists and even the Chairman of the Parliamentary Human Rights Commission, a member of the ruling Motherland party.

For instance, the definition of "terrorism" is significantly broadened to restrict "any kind of action conducted by one or several persons belonging to an organization (two or more people) with the aim of changing the characteristics of the Republic as specified in the Constitution, its political, legal, social, secular and economic system, damaging the indivisible unity of the State with its territory and nation, endangering the existence of the Turkish State and Republic, weakening or destroying or seizing the authority of the State, eliminating fundamental rights and freedoms, or damaging the internal and external security of the State, public order or general health by any one method of pressure, force and violence, terror, intimidation, oppression or threat."

The length of prison sentences for convictions under the Act are increased, and added restrictions are placed on the press, and on meetings and demonstrations. Critics also point out that numerous Penal Code articles used previously to arrest journalists, leftists, religious fundamentalists, Kurds and others expressing separatist or anti-government viewpoints, were not annulled. And while the speaking of Kurdish, and Kurdish music and songs have been decriminalized, publishing and broadcasting in Kurdish remain prohibited.

The legislation also makes it more difficult to bring legal proceedings against officials accused of torture. Torture cases which do not result in death cannot be legally challenged without permission of the Minister of Interior. Officials accused of torturing detainees charged with offenses under the anti-terror law testify only in closed hearings, and trials are conducted before State Security Courts, whose prosecutors supervise the interrogations where torture allegations arise. Furthermore, detainees charged under the new law may only meet with lawyers in the presence of prison or police officials.

*—Mike Amitay*

## Legislation moves forward in House

The House of Representatives recently approved language, introduced by Commission Chairman Steny H. Hoyer, urging the President to pursue the establishment of an information exchange mechanism on arms sales and transfers at the ongoing negotiations on Confidence- and Security-Building Measures (CBSMs).

The action effectively endorses a proposal authored by Hoyer and Commission Co-Chairman Dennis DeConcini which has been sent to the White House for consideration.

Under the Hoyer-DeConcini proposal, CSCE participating States would be required to exchange information on an annual basis regarding their sales or transfers of chemical and biological weapons, ballistic missiles, main battle tanks and other major weapons and equipment systems. Nine of the top 10 conventional arms selling countries are participating States, including the Soviet Union and the United States.

Chairman Hoyer noted that the CSCE has a proven record in the area of confidence-building and it is ideally suited for an exchange of information on arms sales and transfers. CSCE participating States already voluntarily share information on their conventional military forces, equipment, budgets, weapons deployments and military plans.

Another Hoyer amendment, which directs the State Department to conduct a study on the feasibility of an "enhanced U.S. presence in the Baltic States," also passed the House.

The amendment, included in the report accompanying the FY 1992 State Department Appropriations bill, specifies that the study should include an assessment of the "appropriateness" of establishing U.S. information offices, or an organization modeled after the American Institute in Taiwan, in the Baltic States.

Chairman Hoyer said an increased American presence in Latvia, Lithuania, and Estonia is needed to "serve as a form of political recognition and support for the Baltic States."

Also included in the Hoyer amendment is language which encourages the Bush administration to consider proposing "observer status" for the Baltic States in the CSCE.

*—Commission staff*